

Frequently Asked Questions and Answers About the No Child Left Behind Act of 2001¹

(Accountability Provisions: Title I, Part A)

ASSESSMENT

On what subjects are students tested and when?

By the 2005–2006 school year, No Child Left Behind Act of 2001 (NCLB) requires each state to measure every child’s progress in reading and mathematics every year in grades 3-8 and at least once during grades 10-12. In the meantime, each state must meet the requirements of the previous law reauthorizing the Elementary and Secondary Education Act (ESEA), the Improving America’s Schools Act of 1994, for assessments in reading and mathematics at three grade spans (3-5; 6-9; and 10-12). By school year 2007-2008, states must also have in place science assessments to be administered at least once during grades 3-5; grades 6-9; and grades 10-12. Further, states must ensure that districts administer tests of English proficiency — measuring oral language, reading, and writing skills in English — to all limited English proficient students as of the 2002-2003 school year.

Students may still undergo state assessments in other subject areas (e.g., history, geography, writing skills), if and when the state requires it. NCLB, however, requires assessments only in the areas of reading/language arts, mathematics, and science.

Do tests measure the progress of schools?

Annual state assessments required under NCLB produce data on student performance at individual schools; this information is used to gauge whether every school is meeting the state’s standard of adequate yearly progress (AYP) [see below for explanation of AYP]. Parents/legal guardians can check progress made in improving student performance at their child’s school by checking the annual district report card. If their school is *not* making AYP and has been identified as needing improvement, corrective action, or restructuring, NCLB requires that districts notify parents/legal guardians and offer options.

How is testing handled for students with disabilities?

NCLB requires that all students be assessed. In order to show AYP, schools must test at least 95 percent of the various subgroups of students, including students with disabilities and those with limited English proficiency. States must provide reasonable accommodations for students with disabilities or limited English proficiency.

How is testing handled for English language learners?

For English language learners, accommodations may include native-language versions of the assessment; however, in the area of reading and language arts, students who have been in U.S. schools for three consecutive years will be assessed in English.

ADEQUATE YEARLY PROGRESS (AYP) & SCHOOL IMPROVEMENT

What is Adequate Yearly Progress (AYP)?

NCLB requires each state to define adequate yearly progress (AYP) for districts and schools, within the parameters set by Title I. In defining AYP, each state sets the minimum levels of improvement—measurable in terms of student performance—that districts and schools must achieve within time frames specified in the law. In general, each state begins by setting a “starting point” that is based on the performance of its lowest-achieving demographic group or of the lowest-achieving schools in the state, whichever is higher. The state then sets the bar—or level of student achievement—that a school must attain after two years in order to continue to show AYP. Subsequent thresholds must be raised at least once every three years, until, at the end of 12 years, all students in the state are achieving at the proficient level on state assessments in reading/language arts and mathematics.

What is required for a school to meet AYP in Arizona?

In all states including Arizona, schools must assess 95 percent of the total enrolled student population as well as 95 percent of each disaggregated student group (i.e., major racial/ethnic groups, students with disabilities, English language learners, and economically disadvantaged students) using the state mandated assessment (e.g., Arizona’s Instrument to Measure Standards [AIMS]).

In Arizona specifically, a school makes AYP if the following conditions are satisfied:

- Meeting the state’s annual target percentage of students demonstrating proficiency in Arizona’s Academic Standards on the state mandated assessment (AIMS) in the subject areas of reading and mathematics;
- Meeting the target attendance rate or demonstrate improvement (elementary schools only); and
- Meeting the target graduation rate or demonstrate improvement (secondary schools only).

What if a school does not improve?

States and local school districts will aid schools that receive Title I funds in making meaningful changes that will improve their performance. In the meantime, districts will offer parents/legal guardians options for students in low-performing schools, including extra help to students from low-income families.

NCLB lays out an action plan and timetable for steps to be taken when a Title I school fails to improve, as follows:

- A Title I school that has not made AYP, as defined by the state, for two consecutive school years will be identified by the district before the beginning of the next school year as *needing improvement*. School officials will develop a two-year plan to turn the school around. The local education agency (LEA) will ensure that the school receives needed technical assistance as it develops and implements its improvement plan. Students must be offered the option of transferring to another public school in the district – which may include a public charter school – that has not been identified as needing school improvement.
- If the school does not make AYP for three years, the school remains in school improvement status, and the district must continue to offer public school choice to all students. In addition, students from low-income families are eligible to receive supplemental educational services, such as tutoring or remedial classes, from a state-approved provider.

- If the school fails to make adequate progress for four years, the district must implement certain *corrective actions* to improve the school, such as replacing certain staff or fully implementing a new curriculum, while continuing to offer public school choice and supplemental educational services for low-income students.
- If a school fails to make adequate yearly progress for a fifth year, the school district must initiate plans for *restructuring* the school. This may include reopening the school as a charter school, replacing all or most of the school staff, or turning over school operations either to the state or to a private company with a demonstrated record of effectiveness.

In addition, the law requires states to identify for improvement those local education agencies that fail to make AYP for two consecutive years or longer and to institute corrective actions.

When are students eligible for public school choice?

Students are eligible for school choice when the Title I school they attend has not made AYP in improving student achievement—as defined by the state—for two consecutive years or longer and is therefore identified as needing improvement, corrective action, or restructuring. Any student attending such a school must be offered the option of transferring to a public school in the district—including a public charter school—not identified for school improvement, unless such an option is prohibited by state law. NCLB requires that priority in providing school choice be given to the lowest achieving students from low-income families. As of the 2002-2003 school year, school choice is available to students enrolled in schools that have been identified as needing improvement under the ESEA as the statute existed prior to the enactment of NCLB.

In addition, students are eligible for school choice when they attend any “persistently dangerous school,” as defined by the individual state. Any student who has been the victim of a violent crime on the grounds of his or her school is also eligible for school choice.

Do public school choice options include only schools in the same district?

There may be situations where students in Title I schools have school options outside their own district. For instance, a school district may choose to enter into a cooperative agreement with another district that would allow their students to transfer into the other district’s

schools. In fact, the law requires that a district try “to the extent practicable” to establish such an agreement in the event that all of its schools have been identified as needing improvement, corrective action, or restructuring.

Is transportation available for students whose parents exercise their right to attend another school?

Subject to a funding cap established in the statute, districts must provide transportation for all students who exercise their school choice option under Title I. They must give priority to the lowest-achieving students from low-income families.

What are supplemental educational services?

Supplemental educational services are additional academic instruction designed to increase the academic achievement of students in schools that have not met state targets for AYP for three or more years. These services may include tutoring and after-school services. They may be offered through public- or private-sector providers that are approved by the state, such as public schools, public charter schools, local education agencies, educational service agencies, and faith-based organizations. Private-sector providers may be either nonprofit or for-profit entities. States must maintain a list of approved providers across the state organized by the school district or districts they serve, from which parents may select. States must also promote maximum participation by supplemental educational service providers to ensure that parents have as many choices as possible.

When are students eligible for supplemental educational services?

Students from low-income families who remain in Title I schools that fail to meet state standards for at least three years are eligible to receive supplemental educational services.

How are supplemental educational service providers held accountable?

States must develop and apply objective criteria for evaluating providers and monitor the quality of services that they offer. In addition, supplemental service providers must give to parents/legal guardians, as well as to the school, information on their children’s progress.

How are schools identified as needing improvement in Arizona?

Under ARIZONA LEARNS (A.R.S. §15-241), the state has developed a comprehensive approach toward the school improvement system to ensure that all students reach their full potential.

This system employs Achievement Profiles as a way of telling school administrators, teachers, parents/legal guardians, and the public how a school has performed against statewide trends, where a school needs help, and by how much it should progress in order to meet or exceed new growth benchmarks.

How do Arizona's school Achievement Profiles work under the current state law?

Schools are measured against themselves over a three-year period and against the direction all Arizona schools moved. The results are reported in an Achievement Profile. One of four school classifications is assigned based on the Achievement Profile: *Excelling*, *Highly Performing*, *Performing*, or *Underperforming*.

DATA COLLECTION & REPORTING

What are state report cards?

Each state must produce and disseminate annual report cards that provide information on student achievement in the state – both overall and broken out according to the same subgroups as those appearing on the district report cards listed above. State report cards include:

- State assessment results by performance level, including: (1) two-year trend data for each subject and grade tested; and (2) a comparison between annual objectives and actual performance for each student group.
- Percentage of each group of students not tested.
- Graduation rates for secondary school students and any other student achievement indicators that the state chooses.
- Performance of school districts on AYP measures, including the number and names of schools identified as needing improvement.
- Professional qualifications of teachers in the state, including the percentage of teachers in the classroom with only emergency or provisional credentials and the

percentage of classes in the state that are not taught by highly qualified teachers, including a comparison between high- and low-income schools.

How can parents access the school report cards?

States must ensure that the local districts make these local report cards available to the parents/legal guardians of students promptly and no later than the beginning of the school year. The law requires that the information be presented in an “understandable and uniform format, and to the extent practicable, in a language that the parents/legal guardians can understand.” States and districts may also distribute this information to the media for publicizing, post it on the Internet, or provide it to other public agencies for dissemination.

Further, local school districts must notify parents/legal guardians if their child’s school has been classified as needing improvement, corrective action, or restructuring. In this event, districts must let parents know the options available to them.

Will student test results be made available to parents?

Yes. State assessments will produce reports on each student that will be given to parents.

Will individual student test results be private?

Yes. Only the parents and school receive the results of an individual child’s tests. Individual student scores will not be made public. They are not a part of student achievement data on report cards issued by districts and states.

¹ Questions and answers drawn from;

- U.S. Department of Education *No Child Left Behind* Web site. <http://nclb.gov/next/faqs/>.
- Arizona Department of Education. *Arizona LEARNS Fact Sheet: School Improvement in Arizona: What I Should Know?* <http://www.ade.az.gov/azlearns/FAQ.pdf>
- Arizona Department of Education. (July 2003). *Guidance Regarding the Implementation of A.R.S. §15-241 and Consequences for Title I Schools Identified for Improvement Under Arizona’s No Child Left Behind Act Accountability Plan for the 2003-2004 Academic Year*. Phoenix, AZ: Author.